

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MARCEL Q. GOMEZ

Petitioner.

Civil No. 06-CV-2411 H (CAB)

## ORDER:

- (1) GRANTING PETITIONER'S MOTION FOR ENLARGEMENT OF TIME TO FILE TRAVERSE**  
[Doc. # 34];
- (2) GRANTING PETITIONER'S REQUEST FOR COPIES OF LODGMENTS FILED IN SUPPORT OF RESPONDENT'S ANSWER**  
[Doc. # 36]; AND
- (3) DENYING PETITIONER'S RENEWED MOTION FOR APPOINTMENT OF "OFFICIAL LEGAL RUNNER"**  
[Doc. # 38]

JEFFREY FAGOT, Regional Administrator,  
Adult Parole Operations, Region 4.

## Respondent.

Petitioner Marcel O. Gomez (“Petitioner” or “Gomez”), a state prisoner proceeding *pro se*, filed a First Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on January 11, 2007. On June 19, 2007, Petitioner filed a number of motions addressed in turn below.

First, Petitioner filed a motion for an enlargement of time from June 25, 2007, to July 25, 2007, to file his Traverse. [Doc. # 34]. Petitioner states that his access to legal research materials is

1 limited; that he is currently seeking copies of Respondent's lodgments filed in support of  
2 Respondent's Answer; and that he has experienced delays in receiving mail at his correctional  
3 facility.

4 Petitioner's motion for an enlargement of time is **GRANTED**. Petitioner shall have until and  
5 including July 25, 2007, to file his Traverse.

6 Second, Petitioner seeks copies of all the lodgments Respondent filed in support of the  
7 Answer. [Doc. # 36]. Petitioner's request is **GRANTED**. Respondent shall provide Petitioner with  
8 all the copies of the lodgments filed in support of the Answer no later than July 6, 2007.

9 Third, Petitioner renews his motion for an appointment of "official legal runner." [Doc. #  
10 38]. Petitioner previously requested that his 80-year-old mother be appointed as his legal runner.  
11 The request was denied without prejudice because Petitioner did not show why such an appointment  
12 was needed or what type of duties the "official legal runner" office entails.

13 The motion for an appointment of "official legal runner" is **DENIED**. Petitioner has not  
14 shown that he is prevented from sending or receiving mail at his correctional facility. Any additional  
15 arrangements Gomez wants to make with his mother regarding sending or receiving mail are entirely  
16 up to him. The Court will not require a third party to send or receive Petitioner's mail when  
17 Petitioner is a competent adult with a valid mailing address.

18 **IT IS SO ORDERED.**

19  
20 DATED: June 21, 2007

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23 **CATHY ANN BENCIVENGO**  
24 United States Magistrate Judge  
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